

## GRANTING PERMANENT RESIDENCE TO CERTAIN ALIENS

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JANUARY 18, 1956.—Committed to the Committee of the Whole House and  
ordered to be printed

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Mr. FEIGHAN, from the Committee on the Judiciary,  
submitted the following

### R E P O R T

[To accompany H. J. Res. 472]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 472) for the relief of certain aliens, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

#### PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution is to grant the status of permanent residence to 10 aliens whose names appear therein, and for whose relief private bills were introduced, as follows:

- H. R. 1032, by Mr. Hillings.
- H. R. 1131, by Mr. Keogh.
- H. R. 1480, by Mr. Smith of Mississippi.
- H. R. 1939, by Mr. Klein.
- H. R. 2248, by Mr. Allen of California.
- H. R. 2921, by Mr. Holt.
- H. R. 3378, by Mr. Taber.
- H. R. 4509, by Mr. Teague of California.
- H. R. 4543, by Mr. Klein.

The committee, desiring to lighten the burden of the Chief Executive, and to shorten the time required for the consideration of Private Calendars on the floor of the House, has decided to include the names of several beneficiaries of pending private bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

The bill also provides for the payment of the required visa fees and for the appropriate quota deductions.

## GENERAL INFORMATION

A brief discussion of each case included in the instant resolution, with reports from the departments of the administration, and such additional information as was obtained by the committee, appears below.

*Isak Herstig (H. R. 4543, by Mr. Klein)*

Mr. Herstig is a native of Rumania and a citizen of Israel who is 34 years of age. He resides in New York City with his brother, a citizen of the United States, who is his only surviving relative.

A report from the Commissioner of Immigration and Naturalization, dated May 8, 1955, to the chairman of the Committee on the Judiciary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., May 25, 1955.

Hon. EMANUEL CELLER,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 4543) for the relief of Isak Herstig, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Rumania.

Sincerely,

\_\_\_\_\_, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION  
SERVICE FILES RE ISAK HERSTIG, BENEFICIARY OF H. R. 4543

The beneficiary, Isak Herstig, is a native of Rumania and a citizen of Israel, who was born on August 15, 1921. He is single and resides with his United States citizen brother at 171 East Broadway, New York, N. Y. He is presently unemployed and is maintained by his brother, who is his sole living relative. He has no assets other than personal property valued at approximately \$500.

The beneficiary attended Hebrew school in his native town for approximately 10 years. In December 1948, he migrated to Israel and subsequently became a citizen. He served as a private in the Israeli Army from December 1948 to May 1949. Prior to coming to the United States, he was employed as a construction laborer.

Mr. Herstig arrived in the United States at New York, N. Y., on November 7, 1953, as a visitor for 3 months. He subsequently received several extensions, the last of which expired on March 1, 1955. On April 5, 1955, he was placed under deportation proceedings. On April 11, 1955, after a hearing, he was found deportable on the grounds that he failed to comply with the conditions of his admission. He was granted voluntary departure with the alternative of deportation, if he failed to depart. To date, the alien has not availed himself of the privilege of voluntary departure.

Mr. Klein, the author of H. R. 4543, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of his measure. In addition, Mr. Klein submitted the following information in support of his bill:

HOUSE OF REPRESENTATIVES,  
Washington 25, D. C., March 2, 1955.

Re H. R. 4543, for the relief of Isak Herstig.

Hon. EMANUEL CELLER,

*Chairman, Committee on the Judiciary,  
House of Representatives, Washington 25, D. C.*

DEAR MR. CHAIRMAN: Reference is made to the above-captioned measure which I introduced on March 1, 1955, and which has been referred to your committee for consideration.

I attach hereto a memorandum containing the information required under the rules of procedure of your committee. Inasmuch as Mr. Herstig's stay in the United States expires today, March 2, 1955, and it has been indicated by the Immigration Service that no further extensions will be granted, it would be appreciated by the undersigned if a report on the measure were requested immediately and the district office of immigration in New York City be notified of the introduction of the bill and the request for report so that no deportation proceedings will be enacted.

With many thanks and kind regards, I am,

Sincerely yours,

ARTHUR G. KLEIN,  
*Member of Congress.*

RE H. R. 4543, FOR THE RELIEF OF ISAK HERSTIG

1. Name: Mr. Isak Herstig.
2. Address: 171 East Broadway, New York City.
3. Present occupation or means of support: Not working in the United States; presently supported by his brother, Sol Einhorn, a United States citizen, who is a jobber of general dry goods, specializing in infants' and children's wear and having his principal office at 45 Allen Street, New York, N. Y.
4. Circumstances surrounding entry into the United States: Entered the United States on November 9, 1953 on a visitor's visa obtained at Haifa, Israel on November 2, 1953 No. V-068831, and passport No. 09131, issued by the Israeli Government on November 1, 1953 at Haifa, which will expire on July 11, 1956.
5. Present immigration status: Since entering the United States on a visitor's visa on November 9, 1953, he has received several extensions of his stay, the last of which will expire on March 2, 1955. Informal discussions at the immigration office has established that further extensions will not be granted. Case No. VP No. 3-54290.
6. Specific reasons for desiring permanent residence status: Out of a family consisting of a father, mother, 8 brothers and 3 sisters, Isak Herstig and his brother Sol Einhorn survived, the rest of the family having been murdered by the Nazis. The brothers had not seen each other from 1939 to 1953 when Isak came to the United States as a visitor. Neither man is married and they are living together. They are in dread fear of the day that Isak will have to leave the United States and they would be parted.
7. Name of nearest relative who is an American citizen: Sol Einhorn, 171 East Broadway, New York City, brother.
8. Remarks: Isak Herstig is chargeable to the Rumanian quota.

*Constantine George Kaltsoyannis (H. R. 1480, by Mr. Smith of Mississippi)*

Mr. Kaltsoyannis is a 42-year-old native and citizen of Greece who is single. He was admitted to the United States as a temporary visitor for business in September of 1953, and subsequently his home in Greece was destroyed by an earthquake.

A report from the Commissioner of Immigration and Naturalization, to the chairman of the Committee on the Judiciary, dated May 10, 1955, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., May 10, 1955.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1480) for the relief of Constantine George Kaltsoyannis, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence upon payment of the required visa fee. It would also direct that one quota number be deducted from the appropriate quota for the first year that such quota is available.

The beneficiary is chargeable to the quota of Greece.

Sincerely,

\_\_\_\_\_, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION  
SERVICE FILES RE CONSTANTINE GEORGE KALTZOYANNIS, BENEFICIARY OF  
H. R. 1480, 84TH CONGRESS

Constantine George Kaltsoyannis, also known as Gus Kaltsoyannis, a citizen of Greece, was born in Volos, Greece, May 30, 1913. He is single and resides at 4131 Sheridan Road, Chicago, Ill.

Mr. Kaltsoyannis states he has had no employment in the United States. He had been self-employed as an architect in Greece and alleges he has assets there of approximately \$12,000 consisting of real estate and construction material. He graduated from the University of Athens with a degree in architecture. He served in the Greek Army for a few months during the period 1939 to 1940.

Mr. Kaltsoyannis has a sister residing in the United States who has contributed to his support during his stay here. His mother is deceased. His father and other sisters reside in Greece.

Mr. Kaltsoyannis entered the United States at New York, N. Y., September 19, 1953, as a temporary visitor for 60 days. He states he came to the United States for the purpose of soliciting financial support from Greek people here for the construction of a tourist resort in Greece. As he remained beyond the period for which he was admitted, deportation proceedings were instituted. He has been found deportable. He has been granted the privilege of departing voluntarily from the United States.

Mr. Smith of Mississippi, the author of H. R. 1480, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his bill. In support of this case, Mr. Smith submitted the following letter which he addressed to the Commissioner of Immigration and Naturalization on September 23, 1955:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., September 23, 1955.

Gen. J. M. SWING,  
*Commissioner, Immigration and Naturalization Service,*  
*United States Department of Justice, Washington 25, D. C.*

DEAR GENERAL SWING: I have received your letter of September 13 addressed to the Honorable Emanuel Celler, Chairman of the House Committee on the Judiciary, regarding the case of Constantine G. Kaltsoyannis, beneficiary of H. R. 1480, which if enacted would grant to Mr. Kaltsoyannis the status of a lawfully admitted resident alien.

I recognize that under more normal circumstances, the position taken by the Service in this case would probably be a reasonable one. Your letter of September 13, however, overlooks certain facts in this case that I think are material and meritorious. If I did not so regard them, I would not be pressing the matter. Briefly, the most important is that Mr. Kaltsoyannis has no home or business to which to return, the village of which he was a resident having been almost entirely destroyed by earthquake since he came to this country. His relatives in Greece are in no position to house him or to help him reestablish himself, but he does have a sister in this country who can and will help him to rebuild his life.



I would also like to point out that visas are being granted to Greek citizens who have suffered similar calamity through earthquake, under the provisions of the Refugee Relief Act. Inasmuch as he undoubtedly meets the other requirements of that program, it seems to me grossly unjust that he should be required to return to Greece where he will be without home, help, or means in order to register under that program, particularly in view of the further fact that he probably could not reach there and register in time to be reached for consideration for the visas remaining available under this program, so I am informed by the Department of State.

Your letter makes no mention of these circumstances, so I must assume that you are not aware of them. Under the circumstances, and until the matter is clarified, I believe the deportation order in this case should be suspended, and I request that no action be taken to enforce Mr. Kaltsoyannis' departure until the matter has been thoroughly reconsidered in light of these facts.

Cordially,

FRANK E. SMITH,  
*Member of Congress.*

At the request of Representative Smith, the committee investigated the possibility of having Mr. Kaltsoyannis' application for admission to the United States under the provisions of the Refugee Relief Act of 1953, as amended, considered in Greece, in view of the fact that he meets all the requirements of section 4 (a) (7) of that act, except that he was in the United States when his home in Greece was destroyed by an earthquake. A letter from the vice consul in Athens, Greece, dated October 19, 1955, reads as follows:

AMERICAN EMBASSY,  
CONSULAR SECTION,  
*Athens, Greece, October 19, 1955.*

MR. WALTER BESTERMAN,  
*American Consulate General,  
Geneva, Switzerland.*

DEAR MR. BESTERMAN: I pulled the file on Constantine G. Kaltsoyannis and I regret to inform you that, barring a miracle, Mr. Kaltsoyannis cannot get a visa under the refugee relief program.

As you learned from our briefing, we have already 22,000 plus in the mill in Greece, with hundreds more assurances arriving every week. Mr. Kaltsoyannis' petition not having arrived yet, he will get a number somewhere in the 23,000's—well beyond the range of reasonable expectancy, even for a refugee case.

Because the pipeline is overfull already, we are not processing preference cases which do not have a registration date prior to the end of December 1953. Thus, even when Mr. Kaltsoyannis' petition arrives, we will not process the case. We will only send him a letter informing him of the arrival of the petition and our regrets that it cannot be processed at this time.

I'm sorry that the news can't be more favorable, but as your figures show, the 17,000 special nonquota numbers allotted to Greece under RRP are already in security.

Sincerely yours,

WALKER A. DIAMANTI,  
*American Vice Consul.*

In addition, Mr. Smith submitted the following letters in support of his bill:

CHICAGO, ILL., *February 9, 1955.*

HON. FRANK E. SMITH,  
*House of Representatives, Washington, D. C.*

DEAR SIR: In answer to your letter of February 3, 1954, I wish to advise that I was born in Volos, Greece, in 1913.

I intend to reside in Chicago, Ill., where I have obtained a position with the firm of John N. Daniggelis Associates, architects-engineers. This permits me to devote my time in my profession of architecture which I practiced in Greece.

Should you desire additional information to assist you, please write me and I shall gladly help.

Cordially,

G. KALTSOYANNIS.

JOHN N. DANIGGELIS ASSOCIATES,  
Chicago 3, Ill., December 30, 1954.

*To Whom It May Concern:*

We wish to state that Mr. Gus Kaltsoyannis has ably assisted us as a consultant. We would appreciate whatever may be done in extending citizenship rights to him since he will be a credit to our community.

Yours truly,

JOHN N. DANIGGELIS.

*Milly Model (H. R. 1032, by Mr. Hillings)*

This bill, as introduced, also included the names of the parents of Miss Model, but they have departed from the United States and are applicants for visas for permanent residence. Miss Model is a 32-year-old native and citizen of the Philippine Islands, who was admitted to the United States in July of 1949, as a student, and is now employed as a dental assistant in Los Angeles, Calif.

A letter dated May 23, 1955, from the Commissioner of Immigration and Naturalization, to the chairman of the Committee on the Judiciary, contains the pertinent facts in this case. That letter, and accompanying memorandum, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., May 23, 1955.

Hon. EMANUEL CELLER,

*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1032) for the relief of Ludwig Model, Isabel Model, and Milly Model, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the aliens permanent residence in the United States upon payment of the required visa fees. It also would direct that three numbers be deducted from the appropriate immigration quota.

The beneficiaries, Ludwig Model and Isabel Model, departed from the United States on December 15, 1952, under warrants of deportation, and are now residing in Canada.

The beneficiary, Ludwig Model, is chargeable to the quota of Germany. His wife, Isabel Model, and his daughter, Milly Model, are chargeable to the quota of the Republic of the Philippines.

Sincerely,

\_\_\_\_\_, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE LUDWIG, ISABEL AND THEIR DAUGHTER, MILLY MODEL, BENEFICIARIES OF H. R. 1032

The beneficiaries, Ludwig, Isabel, and Milly Model, also known as Wilhelmina Tekla Model, comprise a family group of husband, wife, and daughter. The first named beneficiary was born on November 10, 1890, in Germany, and became a naturalized citizen of the Philippines in 1934. Isabel Model and her daughter, Milly Model, natives and citizens of the Philippine Islands, were born on January 14, 1895, and October 22, 1923, respectively. The beneficiaries Ludwig and Isabel Model reside in Vancouver, British Columbia, Canada. Milly Model resides at 220 South Gramercy Place, Los Angeles, Calif. Their last foreign residence was the Philippine Islands.

The beneficiary Ludwig Model is president, general manager, and principal stockholder in the L. Model & Co., Inc., an importing firm in Manila, Philippine Islands. His annual income from this firm is from \$10,000 to \$15,000. His total assets, including 2 houses and lots in Los Angeles, amount to approximately \$100,000. His daughter testified that he controls his importing firm in Manila from his Canadian residence, commuting to the islands when business necessitates.

The beneficiary Milly Model received a high school education in Manila, Philippine Islands. She attended the University of Iowa, Iowa City, Iowa, for

1 semester beginning September 22, 1949, then transferred to Mount St. Mary's College, Los Angeles, Calif., for 1 year. She is now employed as a dental assistant at a local dentist's office at a salary of \$55 a week. Her assets consist of \$5,000 savings account and a \$750 checking account in a Los Angeles bank.

The beneficiary Isabel Model acquired an elementary school education in the Philippine Islands. She has no assets listed in her own name. Neither of the beneficiaries have relatives living in the United States. In addition to the daughter Milly, the first two named beneficiaries have a son residing in Canada.

The beneficiaries Ludwig and Isabel Model last entered the United States at San Francisco, Calif., on February 16, 1950, as temporary visitors for a period of 6 months. They were granted extensions of stay until September 1, 1951. They failed to depart, and on January 21, 1952, deportation proceedings were initiated in their cases. They departed from the United States on December 15, 1952, under order of deportation.

The beneficiary Milly Model last entered the United States on July 13, 1949, at San Francisco, Calif., as a student. Her last extension of stay expired on July 13, 1952, and on September 10, 1952, deportation proceedings were initiated in her case. On October 22, 1953, an order of deportation was entered in her case, and she was granted the privilege of voluntary departure in lieu of deportation. After several postponements, the departure date was set for February 5, 1955. She failed to depart. Private legislation introduced in the 82d and 83d Congresses in behalf of the three beneficiaries has failed to receive favorable action.

Mr. Hillings, the author of H. R. 1032, submitted the following letters in support of his measure:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., January 17, 1956.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: Enclosed are some documents concerning H. R. 1032, a bill for the relief of the Model family.

The parents, Mr. and Mrs. Ludwig Model, I am informed, are presently in Vancouver, British Columbia, and are taking steps to enter the United States as permanent residents under the German quota, to which they are both chargeable.

Milly Model, the daughter, is over 21 years of age, was born in the Philippine Islands and is not chargeable to the German quota, hence the necessity for the legislation in this instance.

Best wishes.

Most sincerely,

PATRICK J. HILLINGS,  
*Member of Congress.*

LOS ANGELES 4, CALIF., April 24, 1955.

HON. PATRICK J. HILLINGS,  
*House Office Building, Washington 25, D. C.*

DEAR SIR: Thank you very much for reintroducing our bill in Congress last January and this is to let you know how very anxious we are to see this bill go through after waiting 4 years, years full of anxiety and worries.

Mr. Hillings, I doubt whether many people here know what it means to a foreigner to become a citizen of the United States, as they have and enjoy so much and yet so often take it all for granted. Such is not the case with me. We went through terrible experiences during the Japanese occupation of the Philippines and since then more than ever are we thankful for what God gives us.

One of my most cherished dreams is to be able to remain here with my parents and become a proud American citizen. To me there is no other country in the world like this one. Even as a child I always wanted to come to the United States. Actually I was born under the American flag as the Philippines then was still a possession of yours, so I have always thought of the Philippines as part of the United States. I want to stay here because of the wonderful democratic way of life, the people have been so nice to me; in short, I love everything about this great country. So won't you please do everything in your power to have the bill passed during the next few weeks so that my worries on account of the uncertainty of my status will finally come to an end? If you should make this wish of mine come true, rest assured that I will be grateful to you forever.

Best wishes.

Very sincerely yours,

MILLY MODEL.



LOS ANGELES 4, CALIF., April 23, 1955.

HON. PATRICK J. HILLINGS,  
House Office Building,  
Washington 25, D. C.

DEAR MR. HILLINGS: I am writing to you in regard to Miss Milly Model.

First, I wish to state that I have been a staunch Republican in California since 1926. You will notice that I am a professional man and a past president of the Los Feliz Men's Club, so I feel that my words carry sufficient weight to be of importance where Republican sentiments are needed.

I am taking the liberty of aiding in bringing before you the merits of Miss Model. During my 21 years in the profession I have trained quite a number of girls and I do not hesitate to say that Miss Model, who has been in my employ since January 29, 1952, is the most efficient, capable, and dependable assistant, plus having the nicest personality of anyone I have ever had the opportunity of training.

The fact that her bill was first introduced by Vice President Nixon who was at that time our Senator, should convince you that her character is above reproach. It most certainly must come to your mind that our Vice President could not afford to have past misdeeds jumping up to slap him in his political career, therefore, he undoubtedly must have felt that Miss Model was well worth becoming one of our citizens, otherwise he would not have sponsored her bill.

I hope that after reading my message you will use your utmost influence to further the possibility of her becoming a citizen of our country in the very near future. I do not feel that you should hesitate to push the passage of her bill and wish to thank you and let you know your help will be greatly appreciated for the effort you will use to accomplish its completion.

I wish also, to take this opportunity to commend you on your fine performances up to date. Keep up the good work so that you will continue to be one of our finest statesmen.

With kindest regards, I am,  
Sincerely yours,

DR. ALBERT W. BULL.

BERNARD C. BRENNAN

ATTORNEY AT LAW

LOS ANGELES 13, April 21, 1955.

Re Ludwig Model and family, H. R. 1032.

HON. PATRICK J. HILLINGS,  
House Office Building, Washington 25, D. C.

DEAR PAT: In response to your letter of March 31, 1955, in which you referred to your continuance of the hearing on the Model family bill (H. R. 1032) to May 1955, I am giving you what information I have to bring you up to date on what we feel is a showing of the merits of the bill sufficient to authorize its passage and its being signed into law by the President.

I refer you first of all to the file in the then Senator Nixon's office shortly after the bill was introduced for the first time. At that time we furnished the information concerning the background of the family for his S. 2082.

Ludwig Model was born in Germany on November 10, 1890, went to the Philippines in 1911, became a Philippine citizen. His entry into the United States to which the old bill related was on a visitor's permit dated February 16, 1950, through the port of San Francisco on the steamship *Surprise*.

His wife, Isabel Model, was born in Pampanga, Philippines, of Spanish parentage on January 14, 1895. She entered the United States through San Francisco at the same time as her husband, on February 16, 1950, on the steamship *Surprise* on a visitor's permit.

Their daughter, Milly Model, was born at Manila, Philippine Islands, on October 27, 1923. She entered at an earlier date on a student's permit through San Francisco on the steamship *Flying Dragon* on July 13, 1949. (I note that the information originally furnished Nixon showed Milly Model's birth date as August 27, 1923. I am sure, however, the Department's reports have shown the correct date since the incorrect date went to Nixon).

I rehearse this history again because the private bill would charge the senior Models permanent entry against the German quota, which is a much larger one than the Philippine quota. In view of the family relationship, we feel that the Department can charge Milly, too, against the German quota because of the family group.



The records show that the senior Models, while they were here before, were under the care of Dr. Clarence Gazin, 656 North Larchmont, Los Angeles. The records will also show that Mr. and Mrs. Model returned to the Philippine Islands after your bill had been introduced. Since that time Mr. and Mrs. Model have moved to Canada and have traveled across the United States on two occasions between Canada and Mexico on a transit visa. On the last occasion, Mrs. Model's health became such that while she was in Los Angeles she was prevented from continuing the journey and she has been under the care of the same Dr. Gazin ever since. We feel, therefore, that their actual residence in the United States, even under these temporary conditions, justifies the request for permanent status under your H. R. 1032.

Since the original bill was introduced, when the Models owned the property at 220 South St. Andrews Place, Los Angeles 4, they have had some change in property ownership. They now own the property at 2469 East Seventh Street, Los Angeles, Los Angeles County, Calif. I would also call your attention to, and I assume you can secure from the old Nixon file relating to his Senate bill S. 2082 in the 1951 session of Congress, the issue of The Cable Tow which was dated July 19, 1941. I feel that this is important as it shows Ludwig Model's attitude toward the United States. You are referred to page 24 of that document. If you cannot find it let me know immediately and we will see if another copy can be located. However, that probably will prove quite difficult.

Milly Model has continued to render excellent service as resident of this area during the pendency of the bill. She holds the position of dental assistant with Dr. Albert W. Bull, whose offices are at 254 South Western Avenue, Los Angeles 4, Calif. I have asked Dr. Bull to furnish a letter which I will forward to you as soon as it comes through this office.

Incidentally, Mr. Ludwig Model has kept up his membership in both the Scottish Rite bodies in Masonry and in his Masonic Lodge No. 5, F. and A. M., under the jurisdiction of the Grand Lodge of the Philippine Islands. I point this out knowing that you are familiar with the influence for law observance and for the rights of man consistent with our country's ideals, that this body of Masonic men maintain. I am sure I need not emphasize the full clearance that these people have always had, with our own Immigration and Naturalization Service, so far as their loyalty, integrity, and standing are concerned. The record will show, also, that the Models were of tremendous help to this country during and after the Japanese occupation. As a matter of fact, Mrs. Model's brother, S. Palomares, lost his life as a result of injuries received at Fort Santiago.

I am sure your committee was furnished with the report of their clearance with the Counter Intelligence Corps at the time they came to this country after World War II in 1947. They were here for a little over a year on that occasion and their record is completely to the good.

Does your file contain copies of the letters from the following people furnished under the old Senate bill?

A. J. Callaway	S. James Marcheski	Victor Mogan
Mae Davis, R. N.	Max Lerner	O. J. Goebel
Clarence Gazin, D. O.		

There are 2 or 3 other letters also. If you do not have them, or if you feel these should be brought up to date and you feel they will be helpful in your hearing, let me know immediately and we will follow through on them.

I am also enclosing a copy of the letter I sent to Dick Nixon concerning his earlier bill on March 4, 1952. This gives you some background of reasons we feel that your bill has merits.

We are most anxious to have the bill through the House the very first part of May, as we might then secure the approval of the Immigration Department and the State Department for Milly to go to Canada to visit her brother who is a permanent resident of Canada. We would have to have assurance that she will be able to return to the United States without difficulties or any claim of abandoning her rights under the bill. We would not, in any way, want to jeopardize the ultimate passage of the bill. I feel that the only way I could safely advise her to cross would be to have a written authorization from the State Department which she can carry on her person to show to the immigration authorities at the border on her return.

The Model family is entirely self-supporting and Mr. and Mrs. Model will still have sufficient income from their investments so as not to be a burden on anyone whatsoever.

Sincerely yours,

BERNARD BRENNAN.

*Margaretha Rath Rahneberg and Erich Rahneberg (H. R. 4509, by Mr. Teague of California)*

The beneficiaries of this bill are mother and son, natives of Austria and Germany, respectively, who were admitted to the United States as visitors in 1950.

A report from the Commissioner of Immigration and Naturalization, dated June 8, 1955, to the chairman of the Committee on the Judiciary, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., June 8, 1955.

HON. EMANUEL CELLER,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 4509) for the relief of Margaretha Rath Rahneberg and Erich Rahneberg, there is attached a memorandum of information concerning the beneficiaries. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiaries by the Salinas, Calif., office of this Service, which has custody of those files.

The bill would grant the beneficiaries the status of permanent residents of the United States upon the payment of the required visa fees. It would also direct that the required numbers be deducted from the appropriate immigration quota or quotas.

The latest available information indicates that the quota for Germany, to which the male beneficiary is chargeable, is not oversubscribed. Accordingly, it appears that he may be able to obtain a quota immigrant visa. The female beneficiary is chargeable to the quota of Austria.

Sincerely,

\_\_\_\_\_  
Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE MARGARETHA RATH RAHNEBERG AND ERICH RAHNEBERG, BENEFICIARIES OF H. R. 4509

Margaretha Rath Rahneberg, nee Rath, also known as Gretl Rath, was born in Vienna, Austria, on September 12, 1919, and her son, Erich Rahneberg, was born on April 24, 1940, in Berlin, Germany. Both are citizens of Austria. Mrs. Rahneberg divorced her husband on February 2, 1942, and, prior to her entry to the United States, was a resident of Austria where she supported herself and son as a professional singer. Presently she is employed as a sales clerk in a department store at a salary of approximately \$40 per week. She is the sole support of her son, who attends school. Mrs. Rahneberg and her son have no relatives in the United States. The adult alien has indicated that her mother is deceased and that her father is presently residing in Vienna, Austria.

The beneficiaries last entered the United States at New York, N. Y., on September 28, 1950, as visitors. They received extensions of stay, the last of which expired on September 27, 1951. Deportation proceedings were instituted in their cases, and they were found to be deportable from the United States on the ground that they remained in the United States for a longer time than permitted. They were granted the privilege of departing voluntarily from the United States but have not availed themselves of that privilege. Warrants of deportation are outstanding in their cases.

Mr. Teague of California, the author of H. R. 4509, appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his measure. In addition, Mr. Teague, submitted the following statement and letter in support of his bill:

STATEMENT OF HON. CHARLES M. TEAGUE, MEMBER OF CONGRESS, BEFORE  
SUBCOMMITTEE No. 1, COMMITTEE ON THE JUDICIARY, IN SUPPORT OF H. R.  
4509, FOR THE RELIEF OF MARGARETHA RATH RAHNEBERG AND ERICH  
RAHNEBERG

I have personal knowledge of the fact that Mrs. Margaretha Rath Rahneberg has been an outstanding and highly appreciated resident of the Monterey area. She is a talented singer and has been chosen many times to sing our national anthem at community civic affairs. For more than 4 years she has been a choir member and leading soprano soloist in a church in Pacific Grove. She has donated her services generously in musical entertainment at Fort Ord.

It is my understanding that, if this bill is not passed, Mrs. Rahneberg and her son would be left homeless, since she has nothing to which she can return. Her former home, which was in the Russian Zone of Austria, has long since ceased to exist. She would not have the means necessary to reestablish herself where she formerly lived over there.

Mrs. Rahneberg currently is employed in a leading department store in Pacific Grove, and she is completely self-sufficient financially, supporting herself and her son in admirable manner. She is able to supplement her income to some extent with her musical ability. She is a very superior type of person. Her son, Erich, is an honor student.

I am fully convinced of the merits of this case, and I respectfully urge the committee to consider H. R. 4509 favorably.

PACIFIC GROVE, CALIF., February 24, 1955.

Re introduction of private bill for relief of Margaretha Rath Rahneberg and Erich Rahneberg, her son.

HON. CHARLES M. TEAGUE,  
House of Representatives,  
Washington, D. C.

MY DEAR SIR: It may first be in order to identify myself to you as having been director of St. Angela's choir in Pacific Grove for a period of 20 years, or thereabouts, in which choir Margaretha has been signing as leading soprano and soloist for over 4 years. I am also her supervisor for the Federal Immigration Department at Salinas. I have known Margaretha and her son for this length of time and find her to be a very superior person.

This is written in answer to your letter of January 25 to Mr. Bishopric, to bring the matter of helping Margaretha and son Erich to date with your office, and especially to urge your assistance.

She has given freely of her outstanding talents and ability to this community and to her church, and she has our admiration and gratitude.

It may be of interest to mention the fact that when she was in her country in the city of Vienna she was chosen as the official artist for the entertainment of high army officials and their families, dignitaries, and distinguished guests at the Hotel Bristol which was our official residential headquarters. She sang as well for our troops, as she has here at Fort Ord for the soldiers and hospital, as well as for the USO.

It would seem that for this alone she richly deserves the granting of the privilege of remaining in this country and to be allowed to become a citizen at the proper time as she and her son wish so much to do.

Should her request be denied, it would inflict a great hardship as her home, which was in the Russian zone, has long since ceased to exist, and she has no ties or means to replace it.

There is much interest in this case and hope that her plea will be granted. Senator Knowland has shown sympathetic interest, and Senator Kuchel has assured Frank M. Folsom, president of RCA that he will consider her case in keeping with the facts written him (by Mr. Folsom). There is a letter from Mr. Bricker, another from the Catholic Welfare Conference through Mr. Bruce Mohler, director, Luther Hodges now Governor of North Carolina, etc. Locally there is unlimited interest and support, but notably Reverend Father Haskins and Alan Pattee (California assemblyman).

She is working for the Holman Department Store in Pacific Grove, and maintaining herself and son in a creditable manner. Incidentally, her son Erich is an honor student in the Junipero High School in Monterey.

Your help will be deeply appreciated, and I trust you will give this your early attention. Please know that we will be glad to give any further information you may desire.

Very sincerely yours,

(Miss) EDITH L. PASSALACQUA.

JANUARY 10, 1956.

The above is a true copy of a letter which I received from Miss Edith L. Passalacqua who is known to me personally and whose opinion in this case I respect highly.

CHARLES M. TEAGUE,  
*Member of Congress.*

*Solomon Joseph Sadakne (H. R. 3378, by Mr. Taber)*

The beneficiary of this bill is a 43-year-old native and citizen of Syria who was admitted to the United States in 1943 as a member of the Free French military forces. He deserted the forces and subsequently registered for the United States selective service but was never called for military service. A bill for the relief of the same person (H. R. 4581, of the 83d Cong.) passed the House of Representatives, and the pertinent facts in this case were submitted to the House on July 21, 1954, in House Report No. 2378, 83d Congress.

An additional report, submitted by the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary, dated April 25, 1955, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., April 25, 1955.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 3378) for the relief of Solomon Joseph Sadakne, there is attached a memorandum concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service which has custody of these files.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Syria.

Sincerely,

\_\_\_\_\_, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE SOLOMON JOSEPH SADAKNE, BENEFICIARY OF H. R. 3378

The beneficiary, Solomon Joseph Sadakne, a native and citizen of Syria, was born on January 17, 1912. His only entry into the United States occurred at the port of New York, N. Y., on May 10, 1943, at which time he was a member of the Free French military forces coming from the Dominican Republic for further military training in the United States. He deserted the forces and subsequently registered for the United States selective service but was never called for military service. Deportation proceedings have been instituted and he has been found deportable from the United States on the ground that, at the time of his entry, he was an immigrant who was not in possession of a valid immigrant visa and not exempted from the possession thereof by the regulations. He has been granted voluntary departure from the United States, but to date has not availed himself of that privilege.

Mr. Sadakne is married to a native and citizen of Syria who resides in Saouda, Syria, with their six children and he contributes about \$80 monthly toward their support. He attended high school for 2 years and learned the barber business. He now resides at 69 Tillman Street, Geneva, N. Y., and is employed as a machine



operator at the Seneca Falls Machine Shop, Seneca Falls, N. Y., at an average weekly salary of \$60. His assets include a 1949 Chevrolet worth about \$500, together with cash savings of about \$1,500. His closest family relative in the United States is a first cousin.

Mr. Taber, the author of H. R. 3378, appeared before a Subcommittee of the Committee on the Judiciary and recommended the enactment of his bill. In addition, Mr. Taber submitted the following letter and statement in support of his measure:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., March 30, 1955.

Re H. R. 3378.

Hon. EMANUEL CELLER,  
Chairman, Judiciary Committee,  
House of Representatives, Washington, D. C.

DEAR MANNY: I introduced the above bill on the 31st of January. I have been so busy since then that I have not had an opportunity to follow up on it. I introduced a similar bill which passed the House last year, but failed in the Senate.

The subject of the bill, Solomon Joseph Sadakne, is Syrian by birth and has a wife and several children in Syria whom he supports. Prior to World War II, he went from Syria to France, and was living there at the time of the outbreak of the war. He was enrolled in a labor battalion and sent to the French West Indies, and after 2 or 3 months there, was brought over to the United States by the Department of the Army, sometime in 1943.

He was sent to Fort Dix and kept there, but he had nothing to do but eat. He finally got tired of it, left the camp and went to Ithaca, N. Y., where he had relatives. He stayed there a year or two, and went from there to Geneva, N. Y., where he had acquaintances, and obtained employment. He first was a cook in a restaurant and later obtained employment in Seneca Falls, N. Y., in the Seneca Falls Machine Co., where he is still steadily employed.

He is a good worker, and one who behaves himself. He has never had any difficulties with the police or anything of that kind. This man did not make an illegal entry into the United States because he was brought here by the Government. His only irregularity since he has been here is that he walked out of camp, and he would not have done that if he had had anything to do. His friends in Geneva are very high class people, and have the very best of reputations.

I would hope that this bill might be favorably reported by the committee. I have been assured by Mr. Mesmer, the clerk of the Senate committee under Senator Kilgore, that they will reconsider their negative vote. I shall be glad to come before subcommittee at any time you suggest, and appear in behalf of the bill, and I will make it my business to go before the Senate committee, and appear in its behalf.

Very sincerely yours,

JOHN TABER.

POLICE DEPARTMENT,  
Geneva, N. Y., March 19, 1955.

To Whom It May Concern:

I have known Solomon J. Sadakne for approximately 10 years last past.

Mr. Sadakne has never been in trouble of any kind and has no police record of any nature. On the contrary, he has been honest, industrious and a law-abiding resident and is respected by all who know him. I can recommend Mr. Sadakne without reservations.

J. E. McDONOUGH,  
Chief of Police.

*Rosa Stangl (H. R. 1939, by Mr. Klein)*

Rosa Stangl is a 22-year-old native and citizen of Austria who resides in New York with her aunt and uncle who wish to adopt her. She was admitted to the United States in 1954 as a visitor and has received two extensions of stay.

A report from the Commissioner of Immigration and Naturalization, dated May 12, 1955, to the chairman of the Committee on the Judiciary, reads as follows:

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UNITED STATES DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington 25, D. C., May 12, 1955.

Hon. EMANUEL CELLER,  
Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1939) for the relief of Rosa Stangl, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The alien is chargeable to the quota of Austria.

Sincerely,

\_\_\_\_\_, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION  
SERVICE FILES RE ROSA STANGL, BENEFICIARY OF H. R. 1939

Rosa Stangl, a citizen of Austria, was born on June 28, 1933, at Zahling, Austria. She now resides at 229 East 18th Street, New York, N. Y., with her aunt, Clara Dieber, and the latter's husband, Joseph Dieber. Mr. and Mrs. Dieber are United States citizens and wish to adopt the beneficiary. The beneficiary has been employed in the United States as a sewing-machine operator by Theo. Tiedemann & Sons, 351 Fourth Avenue, New York, N. Y. Her assets consist of \$350 in cash savings. She received 8 years of elementary schooling in Austria. Her parents and 3 brothers are residents of Austria and she has 2 sisters who reside in Switzerland.

The beneficiary last entered the United States on or about November 13, 1954, at Ogdensburg, N. Y., by automobile and was admitted for the remaining period of her temporary stay as a visitor for pleasure. She had originally entered the United States on March 4, 1954, at New York, N. Y., and had been admitted as a temporary visitor for pleasure. She received two extensions of stay, the last of which expired on March 3, 1955. Warrant proceedings were instituted against her on March 31, 1955, on the charge that, after admission to the United States as a visitor for pleasure, she had failed to comply with the conditions of such status. At a hearing held on April 15, 1955, she was found deportable on the charge that, at the time of entry, she was excludable as an immigrant not in possession of a valid immigration visa. Appeal from this decision is now pending.

Mr. Klein, the author of H. R. 1939, appeared before a subcommittee of the Committee on the Judiciary, and recommended the favorable consideration of his measure. Mr. Klein also submitted the following evidence as an assurance that Rosa Stangl will be adopted as soon as she has been granted permanent residence in the United States:

NEW YORK, N. Y., January 20, 1955.

Re H. R. 1939, for the relief of Rosa Stangl.

Hon. ARTHUR G. KLEIN,  
Washington, D. C.

DEAR MR. KLEIN: I was very gratified to receive your letter of January 19, in which was enclosed copies of the bill introduced by you on January 10.

In support of the passage of said bill, I enclose herewith copies of the affidavits submitted by Mr. and Mrs. Dieber in support of Miss Stangl's application to come to the United States and a copy of the translation of an adoption agreement, the original of which is in my file.

You will note that such affidavits which were delivered to the American consul in Vienna set forth that Miss Stangl was coming to the United States for the purpose of being adopted by Mr. and Mrs. Dieber as their own child, particularly since they have no children of their own.

After Miss Stangl arrived in the United States, I applied at the surrogate's court, county of New York, for permission to submit a petition of adoption. The

court refused to accept the petition because Miss Stangl did not have a permanent residence number and I was advised that unless she were admitted to the United States on a permanent basis, the application could not be entertained.

We have, therefore, the peculiar situation of a person coming to the United States for the specific purpose of being adopted by her uncle and aunt, which purpose was made plain to the American consul issuing the visa, and now, upon her arrival, the court refuses permission for her to go forward with this intention, unless she has a permanent residence in the United States.

I trust that the enclosures will be of assistance in the deliberations of the Judiciary Committee and will cause them to act favorably upon this bill.

Miss Stangl's visitor's visa has been extended to March 3, and it would appear to be imperative that this matter be acted upon before that date.

Very truly yours,

I. WILLIAM GARFIELD,  
*Counselor at Law.*

NEW YORK, N. Y., November 23, 1954.

Re Rosa Stangl.

ARTHUR G. KLEIN, Esq.,  
*New York, N. Y.*

DEAR MR. KLEIN: Inquiry was made of you concerning the above-named alien, who is a young lady. It is the intention of Mr. and Mrs. Joseph Dieber, of 229 East 18th Street, New York City, to adopt her as their daughter.

In my telephone conversation with you I advised that the surrogate's court of New York County would not entertain a petition of adoption unless such alien was in the United States on a permanent basis and had a permanent residence number.

You stated that you would be agreeable after the reconvening of Congress to introduce a bill granting her permanent residence in the United States. Her present stay in our country will expire on December 31 and it is my intention during the next month to apply for an extension of her visitor's visa.

Will you please be good enough to advise me of just what statement you can give me to obtain such extension?

An early reply hereto will be appreciated.

Very truly yours,

I. WILLIAM GARFIELD,  
*Counselor at Law.*

#### UNITED STATES OF AMERICA

#### AFFIDAVIT OF SUPPORT

STATE OF PENNSYLVANIA,

*County of Lehigh, ss:*

I, the undersigned Joseph M. Dieber, residing at 229 East 18th Street, New York City, N. Y., do hereby declare under oath that I am married, live with my wife Anna at the above address, That I am 51 years of age; in good health.

I further state that I am a native-born citizen of the United States of America; was born on the 8th day of June 1902 at Allentown, Lehigh County, Pa. That I am employed as a machine repairman by the Curtiss-Wright Corp., earning from \$125 to \$150 per week.

I further state that I have a bank account with the Union Square Savings Bank at New York amounting to \$2,040.81; also a \$1,000 insurance policy, cash surrender value at present \$205. I have cash on hand \$250. Recently I purchased a Buick Roadmaster for \$3,900 which is paid for in full. The household furniture, where I conduct a roominghouse, is worth \$10,000.

It is my intention to have my wife's cousin's daughter come forward into the United States of America, whereby upon her arrival I intend to adopt her, as my own heir, for the reason that my wife and I have no children of our own. The said Rosa Stangl, who was born on the 28th day of June 1933 at Zahling, Bezirk Jennersdorf, Burgenland, Austria, will be considered as our own daughter.

I further state that through correspondence, her parents, Mr. and Mrs. Josef Stangl of Zahling No. 119, Burgenland, Austria, fully agree and consent that their daughter, Rosa Stangl, may be adopted by my wife and me.

I further state that I have not at any time been threatened with or arrested for any crime or misdemeanor; that I do not belong to nor am I in any way con-

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nected with any group or organization whose principles are contrary to organized government; nor does the aforesaid Rosa Stangl, to the best of my knowledge and belief belong to any such organization, nor has she ever been convicted of any crime.

That I am willing and able to receive, maintain, and support the aforementioned Rosa Stangl, who was born on the 28th day of June 1933 at Zahling, Burgenland, Austria; at present residing with her father, Josef Stangl, Zahling No. 119, Bezirk Jannersdorf, Burgenland, Austria; and hereby assume such trust guaranteeing that she will not at any time become a burden on the United States, or any State, county, city, village, or township of the United States; and that upon her arrival, I will adopt her through lawful court proceedings, in the United States of America.

That this affidavit is made by me for the information of the honorable American consulate general, Visa Section, at Vienna, or Salzburg, Austria, in the jurisdiction where the said Rosa Stangl will make her application for a visa; and for the information of the United States Department of Justice, Bureau of Immigration Authorities, in order that she will be able to receive her visa and come forward into the United States of America, and be united with my wife and me, where a good home awaits her.

JOSEPH M. DIEBER.

COMMONWEALTH OF PENNSYLVANIA,  
*County of Lehigh, ss:*

Before me, the subscriber, a notary public residing at 238 Hamilton Street, Allentown, Pa., personally appeared Mr. Joseph M. Dieber, of 229 East 18th Street, New York City, N. Y., whom I personally know for over 20 years, and who being duly sworn according to law deposes and says that the foregoing affidavit is true and correct to the best of his information, knowledge, and belief; and he executed the same in my presence.

In witness whereof I have hereunto set my hand and notarial seal this 13th day of June A. D. 1953.

[SEAL]

GEZA BOLEZ,  
*Notary Public.*

My commission expires March 9, 1955.

## UNITED STATES OF AMERICA

### AFFIDAVIT OF SUPPORT

STATE OF PENNSYLVANIA,  
*County of Lehigh, ss:*

I, the undersigned Anna J. Dieber, residing at 229 East 18th Street, New York City, N. Y., do hereby declare under oath that I am married, live with my husband, Joseph M. Dieber, at the above address. That I am 44 years of age, in good health.

I further state that I am a native-born citizen of the United States of America; was born on the 30th day of July 1908, at West Coplay, Lehigh County, Pennsylvania. That I am employed as a weaver by the Roy Weaving Co., Inc., of Brooklyn, N. Y. My weekly earnings amount to \$95.

It is my intention to have my cousin's daughter, Rosa Stangl, who was born on the 28th of June, 1933 at Zahling, Burgenland, Austria, to come to the United States of America, where my husband and I will adopt her as our legal heir, for the reason that we have no children of our own. My husband, Joseph M. Dieber, is taking full guarantee that she will not become a charge upon the public. On the other hand, I do likewise guarantee that she will not become a charge upon the public, for the reason that I am steadily employed and earn good wages. I am well able, financially, to assume the responsibility. Upon arrival she will find a good home with my husband and me, where we will immediately adopt her according to law.

ANNA J. DIEBER.

COMMONWEALTH OF PENNSYLVANIA,  
*County of Lehigh, ss:*

Before me, the subscriber, a notary public, residing at 238 Hamilton Street, Allentown, Pa., personally appeared Mrs. Anna J. Dieber, of 229 East 18th Street, New York City, N. Y., whom I personally know for over 20 years, and



who being duly sworn according to law deposes and says that the foregoing affidavit is true and correct to the best of her information, knowledge, and belief; and she executed the same in my presence.

In witness whereof I have hereunto set my hand and notarial seal this 13th day of June A. D. 1953.

[SEAL]

GEZA BOLEZ,  
Notary Public.

My commission expires March 9, 1955.

#### ADOPTION AGREEMENT

Whereas entered to by Joseph M. Dieber, who was born on the 8th day of June 1902, at Allentown, Pa., and his wife, Anna J. Dieber, born at West Coplay, Pa., on the 20th day of July 1908, both of whom reside at 229 East 18th Street, New York, and State of New York, as parties on one side, and Josef Stangl, farmer, of Zahling 119, as father and lawful attorney in fact for the minor, Rosa Stangl, born on the 28th day of June 1933:

1. The marriage bonds of Joseph M. Dieber and Anna J. Dieber, were not blessed with children. Therefore, they decided that according to law they would adopt Rosa Stangl, who was born on the 28th day of June 1933, as our child. It is further agreed that the said minor, Roda Stangl, shall have all the rights within the law and that she will be our heir after our adoption. The minor, Rosa Stangl, is the daughter of Aloisia Stangl, who is the first cousin of the prospective adopting mother, Anna J. Dieber, and that the mother of Aloisia Stangl, Maria Wunderler (nee) Zettel, and the father, Frank Zettel, the father of Anna J. Dieber, were sister and brother.

2. Whereas Josef Stangl, as father and lawful representative of the minor, Rosa Stangl, agrees to this adoption and at the same time the said minor, Rosa Stangl, 20 years old, agrees fully and consents to this adoption, and at the same time she executes the said adoption agreement.

3. The adopted minor daughter, Rosa Stangl, herewith has the right to use the name Dieber, whereby Joseph Stangl, and also the minor, Rosa Stangl, fully agree and consent.

Jennersdorf, on the 22d day of July 1953.

ROSA STANGL.  
STANGL JOSEF.

According to authentication register 115/53 Josef Stangl, farmer, and Rosa Stangl, farmer's daughter, of Zahling No. 119, did execute with their own handwriting.

County court at Jennersdorf, this 22d day of July 1953.

[SEAL]

(Signature illegible.)

STATE OF PENNSYLVANIA,  
County of Lehigh, City of Allentown, ss:

Before me the undersigned, Geza Bolez, a notary public in and for the county and State herewith certify that Mr. Joseph M. Dieber and his wife Anna J. Dieber, of 229 East 18th Street, New York, City, N. Y., personally appeared and both of them stated that they wish to adopt Rosa Stangl, a resident of Zahling No. 119, Burgenland, Austria, and to have her as their child, and both of them executed the foregoing adoption agreement, and that it is their wish, jointly.

In witness whereof I have hereunto set my hand and notarial seal this 26th day of August A. D. 1953, at Allentown, Pa.

GEZA BOLEZ,  
Notary Public, Allentown, Pa.

My commission expires March 9, 1955.

#### AFFIDAVIT

I, the undersigned, Geza Bolez, residing at 238 Hamilton Street in the city of Allentown, county of Lehigh, and State of Pennsylvania, do herewith state that I am the official court interpreter for the courts of Lehigh County at Allentown, Pa., since January 1908 to this day, and that I am 70 years of age, and that during my term of office, I translated many foreign documents in various languages.

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I further state that this day I translated an adoption agreement from the German language into the English language, which was entered into between Joseph M. Dieber, his wife Anna J. Dieber, and Rosa Stangl and Josef Stangl, which is herewith attached. I further state that the said translation is true and correct to the best of my ability.

Allentown, Pa., this 29th day of March A. D. 1954.

GEZA BOLEZ.

COMMONWEALTH OF PENNSYLVANIA,  
*County of Lehigh, ss:*

Before me, the subscriber, a notary public, personally appeared Mr. Geza Bolez, of 238 Hamilton Street, Allentown, Pa., who is the official court interpreter for the courts of Lehigh County, and whom I personally know for many years, and he being duly sworn according to law deposes and says that the foregoing translation from the German language into the English language, is true and correct.

In witness whereof I have hereunto set my hand and notarial seal this 29th day of March A. D. 1954.

[SEAL]

LILLIE E. COMBS,  
*Notary Public, Allentown, Pa.*

My commission expires February 12, 1955.

*Rosy Juin Tseng (H. R. 2921, by Mr. Holt)*

Mrs. Tseng is a 50-year-old native and citizen of China, who is the mother of a resident alien. After the fall of the Nationalist Government of China the beneficiary, with her family, moved to Hong Kong, France, Italy, and Switzerland, establishing temporary residences in each of those countries. Mrs. Tseng's husband died in Switzerland in 1953, and she was subsequently admitted to the United States as a visitor on May 12, 1953. Her only source of income is dividends which she receives from capital investments in the United States and the Philippine Islands. Her youngest son is in the United States temporarily as a student. He was admitted in 1949 and is still continuing his studies.

The pertinent facts in this case are contained in a letter, dated October 1, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 10069) pending during the 83d Congress for the relief of the same person. That letter, and accompanying memorandum, reads as follows:

DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
*Washington, D. C., October 1, 1954.*

Hon. CHAUNCEY W. REED,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 10069) for the relief of Rosy Juin Tseng, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Los Angeles, Calif., office of this Service, which has custody of those files.

The bill would grant the alien permanent residence in the United States as of the effective date of enactment and upon payment of the required visa fee. It would also provide for the alien to deposit a suitable bond with the Attorney General as prescribed by section 213 of the Immigration and Nationality Act. It is noted that the bill does not provide for the usual deduction of a number from the appropriate quota.

As a quota immigrant the beneficiary is chargeable to the quota for the Chinese.

Sincerely,

\_\_\_\_\_, *Commissioner.*

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## MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE ROSY JUIN TSENG, BENEFICIARY OF H. R. 10069

The beneficiary, Rosy Juin Tseng, also known as Tseng Chun Vong Juin, is a native and citizen of China. She was born February 6, 1904 at Canton, China. Her last residence abroad was Montana, Switzerland. She was admitted to the United States at New York, N. Y., on May 12, 1953 for a temporary visit of 6 months. She subsequently made application for a change of status to that of a permanent resident under section 6 of the Refugee Relief Act of 1953 (Public Law 203, 83d Cong.). Her application was denied for the reason that she was found not to be a bona fide nonimmigrant at the time of entry. The beneficiary has been given until August 16, 1954, in which to arrange for her departure from the United States.

The beneficiary attended school for 9 years in Shanghai, China. In 1925 she married Tseng Kwang Chick, a native and citizen of China. Two sons were born of that marriage, both in China. The family resided in China until 1949 where Mr. Tseng was the resident manager of Chinese Postal Savings and Remittance Bank in Canton, China and Hong Kong, British Crown Colony. After the fall of the Nationalist Government of China the beneficiary, with her family, moved to Hong Kong, France, Italy, and Switzerland, establishing temporary residences in each of those countries. The beneficiary's husband, Tseng Kwang Chick, died in April 1953 in Switzerland. Her only source of income is dividends which she receives from capital investments in the United States and the Philippine Islands. She also owns property in China but has received no income from that property since 1949. The beneficiary has testified that her approximate annual income is \$3,500. She has lived in a rented apartment in Los Angeles, Calif., with her unmarried son since May 1953.

The beneficiary has a mother, a sister and a brother, all native citizens of China who live on the Chinese mainland. Her father died in China in 1951. Her two sons, both native citizens of China, have resided in the United States since 1949. Both sons were admitted to the United States temporarily as students. Her youngest son is still continuing his studies. The eldest son has completed his studies, has become married to a citizen of the United States and has been employed in Los Angeles, Calif., since May 1953. His temporary status in the United States is still considered lawful as certain Chinese aliens are temporarily unable to return to the Chinese mainland.

Mr. Holt, the author of H. R. 2921, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of this case. In addition, Mr. Holt submitted the following statement, with enclosures:

HOUSE OF REPRESENTATIVES,  
WASHINGTON, D. C., January 17, 1956.

### COMMITTEE ON THE JUDICIARY, *United States House of Representatives.*

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE: Here are the facts as I have received them on H. R. 2921, for the relief of Rosy Juin Tseng. Mrs. Tseng's address is 1779½ North Orange Drive, Hollywood 28, Calif. She landed in New York on May 12, 1953, from Switzerland, as a temporary visitor of 6 months.

Mrs. Tseng was born in Canton, Kwangtung Province, China, on February 6, 1904. Her late husband was the president of the Chinese Postal Savings and Remittance Bank, Hong Kong (a Nationalist Government Bank). Upon British recognition of the Chinese Communist Government, her husband was ordered to continue his service in the bank. He defied the Communist's order and resigned from the position. He also influenced his staff to take similar action so as to make the bank practically a worthless asset to the Communists. After that it was felt that there was danger to his life and they took refuge in Europe, where he passed away.

Mrs. Tseng is financially independent. She has been recommended by at least 22 people, many of these people are known to me personally and are reputable and of good standing. Six of these letters are enclosed. Mrs. Tseng knows no one in any other country and it is feared she will be subject to political persecution if she returns to the land of her birth.

Her son, Leo Tseng, is married to an American citizen and has for many years tried to change his status to become a permanent resident. He is to appear at

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the American consulate in Vancouver, Canada on February 9, 1956, to obtain his permanent visa under the new preexamination regulation.

JOE HOLT, *Member of Congress.*

LOS ANGELES 24, CALIF., June 22, 1954.

Hon. JOE HOLT,  
*The Congress of the United States,  
House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN HOLT: Mrs. Rosy Tseng has asked me to write to you in her behalf. It has been my good fortune to have known this lady for the past 2 years. She is well and favorably known in this community and has made a host of friends. She has lived in many parts of the world besides the Orient, and in addition to her native language speaks English and French. She is well versed in current world affairs. Mrs. Tseng has numerous contacts with the present Nationalist Government in China and certainly has no sympathy with the communistic movement.

Mrs. Tseng is the mother of two sons, one of whom has recently graduated with a masters degree from UCLA and is now associated with the firm of Merrill, Lynch, Pierce, Fenner & Beane. Her second son is still a student at Pomona College.

I am not entirely familiar with the merits of the case but I can assure you that anything you can do to help Mrs. Tseng remain in this country and be with her family, and eventually become a citizen in her own rights, will be greatly appreciated by her friends.

Very sincerely yours,

JAMES G. WARE, M. D.

WESTMINSTER FOUNDATION OF SOUTHERN CALIFORNIA,  
*Los Angeles 24, Calif., July 22, 1954.*

Hon. JOE HOLT,  
*United States Congress, Washington, D. C.*

DEAR MR. HOLT: I am writing in behalf of Mrs. Rosie Tseng, who resides at 822½ South Beverly Glen, Los Angeles, Calif. I have known Mrs. Tseng for a year and a half. She has attended religious services which I have led. She and her son have been in our home, and we have been very much impressed with their breadth of interest and cultural background.

Mrs. Tseng is a woman of excellent character. She has traveled widely and is well educated. She has not only lived in the Orient, but in Europe as well. Her husband, prior to his sudden death, was successful in business.

I am sure that if you can do anything to change her temporary visa to a permanent one it would not only benefit her but also the United States. I am glad that you are willing to propose the proper legislation to make it possible for her to have this change in classification of residence.

Sincerely yours,

CECIL E. HOFFMAN, *Director.*

CHINESE DELEGATION TO THE UNITED NATIONS,  
*New York 1, N. Y., May 5, 1955.*

Hon. JOE HOLT,  
*Member of Congress, 22d District of California,  
Washington, D. C.*

HONORABLE SIR: It is very gratifying to know that you have introduced bill No. H. R. 2921 proposing citizenship for Mrs. Rosy Vong Juin Tseng.

My wife and I have known Mrs. Tseng and her husband for many years. We have always held high regard for the good character and womanhood of Mrs. Tseng. I think all my friends who came to know Mrs. Tseng share the same opinion as ours. As a matter of fact, I saw Mrs. Tseng in Los Angeles when I passed through there in February.

With all our good wishes we heartily support your proposal to recommend Mrs. Tseng as a future citizen of your country, and hope that your bill will have a smooth passage at the earliest possible time.

Yours sincerely,

CHIPING H. C. KIANG,  
*Minister Plenipotentiary,  
Alternate Representative on the Security Council, United Nations.*



CONSULATE GENERAL OF THE REPUBLIC OF CHINA,  
Los Angeles 15, Calif., June 11, 1954.

HON. JOSEPH F. HOLT,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN HOLT: I am writing to you in regard to the case of Mrs. Rosy Tseng, apartment 9, 801 Levering Avenue, Westwood Village, Calif. Mrs. Tseng informed me that she had a hearing yesterday at the immigration office in connection with her application for adjustment of her status to that of a permanent resident under section 6 of the Refugee Relief Act of 1953 and that in the course of this hearing it was developed that because her last residence was in Switzerland she was not qualified to apply on the ground of apprehension of religious, political or physical persecution in the country of her last residence. It therefore appears that the only way by which she can become a permanent resident in this country is through the passage of a special bill by Congress granting her the status of a permanent resident. She told me that you have shown your kind personal interest in her case and have repeatedly communicated with the immigration office on her behalf, but this case has now reached a point when nothing short of your direct action can provide the necessary remedy for her continued residence in this country.

Knowing your sympathetic regard for Mrs. Tseng's personal welfare may I bespeak your further kindness in rendering her every possible assistance so that she will not be required to leave the country against her will.

With grateful appreciation and kind personal regards,

Sincerely yours,

YI-SENG KIANG, *Consul General.*

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BANK OF AMERICA,  
WESTWOOD VILLAGE BRANCH,  
Los Angeles 24, Calif., July 23, 1954.

HON. JOE HOLT,  
Congress of the United States,  
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN HOLT: Mrs. Rosy Tseng has asked me to write you a letter in regard to her financial responsibility.

This lady has had an account at this branch since June 25, 1953, and during that time she has carried a satisfactory commercial account, which has been conducted properly. Mrs. Tseng seems to be a lady of some means, as we have granted her a loan secured by stocks.

Anything that you may do to assist Mrs. Tseng in securing permanent residence in the United States will be appreciated by the undersigned.

Respectfully yours,

GEORGE W. THOMPSON,  
*Vice President and Manager.*

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BANK OF AMERICA,  
WESTWOOD VILLAGE BRANCH,  
Los Angeles, Calif., April 27, 1955.

HON. JOE HOLT,  
Member of Congress, 22d District of California,  
Washington, D. C.

HONORABLE SIR: We are writing in behalf of Mrs. Rosy Vong Quin Tseng for whom you have introduced bill No. H. R. 2921 for Mrs. Tseng.

Mrs. Tseng has been known to us for a great many years, and we have considered her both an honorable and conscientious woman. She feels very strongly about her obligations and has a high regard for the meaning of duty and service. Mrs. Tseng has been a client of ours both as a depositor and a borrower and has handled all her accounts in a most satisfactory manner.

We would unhesitatingly recommend her as a future citizen of this country and hope for an early expediting of the passage of the above mentioned bill.

Very truly yours,

GEORGE H. MOORE, *Assistant Cashier.*

*Irma Elina Vcela (H. R. 1131, by Mr. Keogh)*

The beneficiary is the wife of a refugee from Czechoslovakia who, in order to be reunited with her husband, crossed the border from Canada into Detroit, Mich., without inspection. Her husband's immigration status is in the process of being adjusted since the Immigration and Naturalization Service has approved his application filed under the provisions of section 4 of the Displaced Persons Act of 1948, as amended. The granting of permanent residence to his wife, Irma Elina Vcela, is in line with the committee's consistent policy to promote the reuniting of families.

The pertinent facts in this case are contained in a letter, dated December 10, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 7501) pending during the 83d Congress for the relief of the same person. That letter, and accompanying memorandum, read as follows:

DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington, D. C., December 10, 1954.

HON. CHAUNCEY W. REED,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7501) for the relief of Irma Elina Vcela, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant this alien the status of a permanent resident of the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Finland.

Sincerely,

\_\_\_\_\_, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE IRMA ELINA VCELA, BENEFICIARY OF H. R. 7501

The beneficiary, Irma Elina Vcela, born October 5, 1920, is a native and citizen of Finland. She last entered the United States at Champlain, N. Y., on June 18, 1953, surreptitiously and without inspection. Her daughter, Tanja Irmeli Ludmila Vcela, who was born on August 2, 1948, in Czechoslovakia, entered the United States on May 31, 1953, at Detroit, Mich., surreptitiously and without inspection. On October 21, 1953, warrants in deportation proceedings were issued charging both the beneficiary and her daughter with being immigrants not in possession of a valid unexpired immigration visa, reentry permit, border crossing identification card, or other valid entry document, and with entering the United States without inspection. On October 27, 1953, after being accorded a hearing, warrants for their deportation were issued.

The beneficiary attended public school for 4 years, gymnasium for 8 years, and the University of Helsinki for 1½ years. In Europe she worked as an apprentice in laboratory work. While in Czechoslovakia she met Vladimar Vcela. He entered the United States in 1948 as a visitor. After his departure from Europe, she learned that she was to give birth to his child. A proxy marriage was arranged between the beneficiary and Vladimar Vcela. This marriage took place July 29, 1949. The beneficiary has stated that the proxy marriage was recognized abroad.

After Vladimar Vcela came to the United States, he filed an application for adjustment of his immigration status under the provisions of section 4 of the Displaced Persons Act of 1948. The application is still pending before this Service.

The beneficiary and her child could not obtain visas to enter the United States for permanent or temporary stay. They went to Finland, where the beneficiary's mother and father reside, and from there went to Canada as nonimmigrants to visit the beneficiary's uncle, hopeful, however, of being able to enter the United States or seeing the beneficiary's husband at the Canadian border. After arriving in Canada, the beneficiary's efforts to obtain temporary visitor visas to enter the United States for herself and her child were again unsuccessful. She finally decided to enter the United States illegally if she could. With the assistance of her father, the child entered the United States.

Thereafter, the beneficiary entered the United States to join her husband and child. In order to make certain of the legality of their marriage, the beneficiary and her husband married once more in the United States on October 5, 1953.

The beneficiary's husband is the holder of a citation issued by the United States of America and signed by the then Gen. Dwight D. Eisenhower expressing the gratitude and appreciation of the American people for gallant service in assisting the escape of United States soldiers from the enemy.

The beneficiary resides with her husband and child in Brooklyn, N. Y., and devotes her time to the duties of a housewife. She has no relatives, other than her husband and child, residing in the United States. In addition to her parents, she has uncles, aunts, and cousins residing in Finland. She expected to give birth to a child in November 1954.

Her husband, since July, 1950, has been employed as a supervisor by White Tower Management Corp., New York City. He earned \$3,498.65 in 1953 plus \$496.74 car allowance. He has \$170 on deposit in a special checking account. He owns \$500 in United States Treasury bonds and a motor vehicle valued at \$700. He values the family's clothing and personal effects at \$500. He owes approximately \$400. The beneficiary has no assets of her own.

The following information was submitted by the Commissioner of Immigration and Naturalization with reference to the immigration status of the husband of Irma Elina Vcela:

DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington, D. C., October 13, 1955.

HON. FRANCIS E. WALTER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. WALTER: Further reference is had to your letter of June 9, 1955, concerning Mr. Vladimir Vcela.

The regional office of this Service at Burlington, Vt., has advised Mr. Vcela's application for adjustment of status under section 4 of the Displaced Persons Act of 1948, as amended, was granted October 10, 1955. The case will be presented to Congress on January 16, 1956, for consideration.

Sincerely,

J. M. SWING, *Commissioner.*

Mr. Keogh, the author of H. R. 1131, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of this case.

*Jose Cristiano Vieira (H. R. 2248, by Mr. Allen of California)*

Mr. Vieira, is a 38-year-old native and citizen of Portugal, who was issued a United States passport in 1949 by the American consulate at Sao Miguel, Azores. After his admission to the United States, in 1949, it was discovered that his father had expatriated himself and his son, Jose Vieira, was not entitled to the passport which was issued to him.

Certain pertinent facts in this case are contained in a report from the Commissioner of Immigration and Naturalization, dated May 13, 1955, to the chairman of the Committee on the Judiciary, which reads as follows:

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DEPARTMENT OF JUSTICE,  
IMMIGRATION AND NATURALIZATION SERVICE,  
OFFICE OF THE COMMISSIONER,  
Washington, D. C., May 13, 1955.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 2248) for the relief of Jose Cristiano Vieira, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Portugal.

Sincerely,

\_\_\_\_\_, *Commissioner.*

### MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE JOSE CRISTIANO VIEIRA, BENEFICIARY OF H. R. 2248

Jose Cristiano Vieira, a citizen of Portugal, was born in Fazenda das Lages, Flores, Azores, on February 16, 1917. He resides at 1729 23d Street, Oakland, Calif. Mr. Vieira is single and is employed as a laborer at Emeryville, Calif., at a salary of approximately \$4,500 per year. He had been employed as a farmer in the Azores.

The beneficiary has no relatives in the United States. His parents are deceased. He has brothers and sisters residing in the Azores.

Mr. Vieira entered the United States February 18, 1949, as a United States citizen in possession of a United States passport. He claimed to be a United States citizen at birth through his father. It was subsequently ascertained that his father had expatriated himself prior to the beneficiary's birth. As Mr. Vieira was, therefore, not entitled to enter the United States as a United States citizen deportation proceedings were instituted against him. He was found deportable and was granted the privilege of departing voluntarily from the United States.

Mr. Allen of California, the author of H. R. 2248, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of his bill. In addition, Mr. Allen submitted the following statement in support of his bill:

### STATEMENT OF HON. JOHN J. ALLEN, JR., IN SUPPORT OF H. R. 2248 FOR THE RELIEF OF JOSE CRISTIANO VIEIRA

Mr. Chairman, H. R. 2248 has for its purpose the admission of Jose Cristiano Vieira, a 38-year-old alien, for whose relief I introduced H. R. 8300 in the 82d Congress and H. R. 3322 in the 83d, neither of which was acted upon. Mr. Vieira was issued a United States passport on February 9, 1949. At the time he applied for the passport he informed the American consulate at Ponta Delgado, Sao Miguel, Azores, that he was born February 7, 1917, in the Azores of a father who was a native of the Azores but who was naturalized as an American citizen on July 28, 1891, before the Circuit Court of the United States for the Northern District of California at San Francisco, and that his father returned to the Azores in 1906 where he remained until his death on April 2, 1944. Jose Vieira arrived in New York on February 18, 1949, and shortly thereafter commenced working for the T. W. Corder Co. of Emeryville, Calif., where he is still employed. In February 1951, 2 years after the issuance of the passport, Mr. Vieira was advised that the passport had been issued in error and that he was not a citizen of the United States since the State Department considered that his father renewed his residence in Portugal as of 1906 within the meaning of article III of the Naturalization Convention between Portugal and the United States, thereby renouncing his naturalization in the United States as of the date of the ratification of the convention on November 14, 1908.

I am confident that Mr. Vieira had no intention of making an illegal entry to this country in that he gave complete and full information to the American consulate at the time of his application concerning his father's residence, and with



such information at hand full opportunity was given to appraise the situation at that time. Since Mr. Vieira's entry he has been a steady and conscientious worker for the same employer the whole time. He is unmarried, and has three cousins living in California. Since his birth he had been told that his father was an American citizen and that he was also. As he was born subsequent to his father's expatriation he is considered not to have acquired American citizenship at birth. As of June 30, 1952, Mr. Vieira had savings of \$5,000 in California banks.

In support of the above facts, I attach as part of this statement excerpts from the following letters:

Letters from Lawrence S. Fletcher, attorney at law, Oakland 12, Calif.; dated March 28, 1952, and April 14, 1952.

Letters from Walter O. Corder, T. W. Corder, Inc., Oakland, Calif.; dated April 15, 1952, and March 2, 1953.

Letter from B. Barham, manager, 23d Avenue Branch, Bank of America, Oakland 6; dated June 30, 1952.

Letter from Shirley M. Moyer, assistant secretary, Thrift Federal Savings & Loan Association; dated June 30, 1952.

Letter from Evelyn Azevedo, 2822 Mathews Street, Berkeley, Calif.; dated July 3, 1952.

Letter from Marie E. Frame, 1912 West 73d Street, Los Angeles, Calif.; dated July 1, 1952.

Lawrence S. Fletcher (attorney at law, Oakland, Calif.; March 28, 1952):  
 " \* \* \* Mr. Vieira now resides at 1729 23d Avenue, Oakland, and is 35 years of age. He arrived in New York from the Azores on Pan American on February 18, 1949, and came directly to California. On March 8, 1949, some 2½ weeks later, he commenced working for the T. W. Corder Co. and has been working there steadily ever since as a laborer and wool puller. Since that time Mr. Vieira has been self supporting, and a steady and conscientious worker. Mr. Corder speaks very highly of him and has referred him to us in an endeavor to see if we can straighten out his immigration problems \* \* \* "

" \* \* \* Mr. Vieira was in my office today and is a very young appearing man, unmarried, and has been in no difficulty or been arrested since his arrival here. Mr. Vieira further advised me that his father always thought he was an American citizen and so advised the children \* \* \* "

Lawrence S. Fletcher (attorney at law, Oakland, Calif.; April 14, 1952):  
 " \* \* \* On July 10, 1948, Jose Vieira applied to the American consulate for a passport, his father having been a naturalized citizen. After investigation, this passport was finally issued on February 9, 1949. On February 18, 1949, Jose Vieira flew to this country via Pan American and arrived in New York. From New York he came directly to San Jose, Calif., and stayed with his cousins. On March 8, 1949, Jose Vieira came to work for the T. W. Corder Co. in Oakland and has been working there steadily ever since.

"The question of the invalidity of the passport to Mr. Vieira would never have arisen but for the fact that the older sister of Mr. Vieira applied for a similar passport. In that investigation the Department determined that when Mr. Vieira, Sr., returned to the Azores in 1906 he thereby renounced his naturalization as of the date of the ratification of the convention between Portugal and the United States in 1908. The invalidity therefore seems to rest upon the premise that merely because the father renewed his residence in the Azores in 1906 he therefore renounced his citizenship.

"This seems highly unfair, particularly in view of the fact that the Government issued the passport and allowed this party to come and work here for a period of in excess of 2 years.

"Mr. Vieira also advises me that his father and all the members of his family had always assumed they were citizens of this country by virtue of their father's naturalization \* \* \* "

" \* \* \* Mr. Vieira tells me that he has cousins both in San Jose and in Los Angeles. He feels that it is unfair to deport him at this late date through what may be a finding of fact that his father renounced his citizenship in 1906 without having an opportunity to investigate the basis of such decision. Consequently, it seems unjust to retroactively take away the citizenship of the father by subsequent treaty with Portugal \* \* \* "

" \* \* \* In other words, if the Federal Government takes away the boy's citizenship by technical means, the boy should be able to have his citizenship restored by special legislation, particularly when it is of no fault of his \* \* \* "

Walter O. Corder (T. W. Corder, Inc., Oakland, Calif.; April 15, 1952): " \* \* \* What is his reason for not wanting to return to his own country? As Mr. Vieira

is employed by us at the present time and has been a steady, reliable, industrious employee from the first day of employment March 8, 1949, we have through everyday contact been able to learn why he wants to remain in this country.

"Since he was born he has been told that his father was an American citizen and that he was also. Not knowing any difference he grew up in the Azores Islands thinking all the time that he was an American and that someday at the opportune time he would come to live in this country and exercise his rights as an American citizen.

"From the proper authorities in the State Department Mr. Vieira received his passport and came to the United States. After living here for a few years he was notified that he had entered the United States illegally. Checking back he learned that he had received his passport due to some error made in the State Department \* \* \*.

"\* \* \* We, as employers, have found Mr. Vieira to be a true and honest employee and feel certain that he will make a real American if he is allowed to remain here \* \* \*."

Walter O. Corder (T. W. Corder, Inc., Oakland, Calif.; March 2, 1953): "\* \* \* We are glad to know that you are still working hard to keep Jose in the United States. He is still employed by us and his work is very satisfactory. As far as we are concerned Jose is a steady employee and we hope that he will gain United States citizenship for we expect to keep him here on the job. We appreciate your help and interest on our behalf."

B. Barham, manager, 23d Avenue branch, Bank of America, Oakland 6; June 30, 1952): "At the request of our depositor, Mr. Jose Cristiano Vieira, residing at 1729 23d Avenue, Oakland, Calif., we are glad to supply you with the following information:

"On June 28, 1951, Mr. Vieira opened a savings account at this bank and branch, in his individual name, with an initial deposit of \$100. Not a single withdrawal has been made from the account since its inception, and the present balance in it is \$1,010.52."

Shirley M. Moyer (assistant secretary, Thrift Federal Savings & Loan Association; June 30, 1952): "This is to inform you that Jose Cristiano Vieira, 1729 23d Avenue, Oakland, opened a savings account with this association on November 13, 1950, and as of the above date has a balance of \$4,000."

Evelyn Azevedo, 2322 Mathews Street, Berkeley, Calif.; July 3, 1952: "It is with much pleasure that I write about Mr. Jose Cristiano Vieira, whom I have known for 3 years.

"From the very beginning that I have known him, I found Mr. Vieira very honest, trustworthy, courteous, and very conscientious. He is looked upon with highest regard by everyone.

"I have no hesitation whatever in recommending him. He will make a good citizen of the United States."

Marie E. Frame, 1912 West 73d Street, Los Angeles, Calif.; July 1, 1952: "\* \* \* I feel certain that Jose C. Vieira would not have left his homeland had he not been assured by the consulate and the authorities in San Miguel that all his papers were in perfect order. I have seen Jose Cristiano Vieira a number of times (about seven) since he arrived in this wonderful country of ours and I feel certain that he will make a very fine and law-abiding citizen of the United States. Jose obtained employment shortly after he arrived so that he would not be dependent on anyone and he attended night school for a period so that he might learn about our country. Jose's father, Antonio Cristiano Vieira, was a citizen of the United States and farmed in Ventura County, Calif., for a number of years before returning to the Azores. \* \* \*."

Upon consideration of all the facts in each of the 10 cases included in the joint resolution, the committee is of the opinion that House Joint Resolution 472 should be enacted and accordingly recommends that it do pass.